

Atty. Dkt. No. VPHAR1460-2
(ABI1460-2/0712431301)

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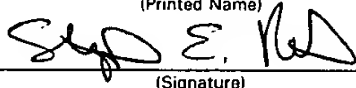
Applicant: Desai et al.
Title: NOVEL FORMULATIONS OF
PHARMACOLOGICAL
AGENTS, METHODS FOR
THE PREPARATION
THEREOF AND METHODS
FOR THE USE THEREOF

Appl. No.: 09/446,783

Appl. Filing Date: 05/16/2000

Examiner: R. DeWitty

Art Unit: 1616

CERTIFICATE OF MAILING I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on the date below. Stephen E. Reiter (Printed Name)  (Signature) April 3, 2002 (Date of Deposit)
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11/Reg Under
1.114
cfm
4-3-02

REQUEST FOR CONTINUED EXAMINATION (RCE)
TRANSMITTAL

Commissioner for Patents
Box RCE
Washington, D.C. 20231

Best
4-13-02

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. §141, or the commencement of a civil action under 35 U.S.C. §145 or §146 (unless the appeal or civil action is terminated).

1. Submission required under 37 C.F.R. §1.114: (check items that apply)

a. Previously submitted:

[] Please enter and consider the amendment/reply previously filed on ____.

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01 FC:179

740.00 DP

- ☐ Please consider the Affidavit(s)/Declaration(s) previously filed on ___ but not considered.
- ☐ Please consider the arguments in the Appeal Brief or Reply Brief under 37 C.F.R. § 1.116 previously filed on ___.
- ☐ Other ___.

b. Enclosed are:

- ☒ Preliminary Amendment.
- ☐ Affidavit(s)/Declaration(s).
- ☒ Information Disclosure Statement.
- ☒ Form PTO-1449 and 35 references.
- ☒ Change of Correspondence Address.

Miscellaneous:

- ☐ Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of ___ months.

The filing fee is calculated below:

	Claims as Amended		Previously Paid For		Extra Claims Present		Rate		Fee Totals
RCE Fee 1.17(e)							\$740.00		\$740.00
Total Claims:	5	—	65	=	0	x	\$18.00	=	\$0.00
Independents:	18	—	18	=	0	x	\$84.00	=	\$0.00
First presentation of any Multiple Dependent Claims:						+	\$280.00	=	\$0.00
CLAIMS FEE TOTAL:									\$740.00

☒ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input checked="" type="checkbox"/>	Extension for response filed within the first month:	\$110.00	\$110.00
<input type="checkbox"/>	Extension for response filed within the second month:	\$400.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the third month:	\$920.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the fourth month:	\$1,440.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the fifth month:	\$1,960.00	\$0.00
EXTENSION FEE TOTAL:			\$110.00
CLAIMS AND EXTENSION FEE TOTAL:			\$850.00
<input type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):		\$0.00
<input checked="" type="checkbox"/>	Fee for Information Disclosure Statement		\$180.00
TOTAL FEE:			\$1030.00

☒ A check in the amount of \$1030.00 to cover the filing fee is enclosed.

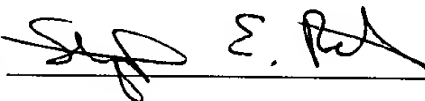
☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date: April 3, 2002

FOLEY & LARDNER
P.O. Box 80278
San Diego, California 92138-0278
Telephone: (858) 847-6711
Facsimile: (858) 792-6773

By 

Stephen E. Reiter
Attorney for Applicant
Registration No. 31,192